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HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES

Letter dated 5 October 1992 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General

On instructions from my Government, I have the honour to transmit to you herewith the response of the Government of Iraq to the interim report on the situation of human rights in Iraq prepared by Max van der Stoel, Special Rapporteur (S/24386, annex).

I should be grateful if you would have this letter and its annex circulated as a document of the General Assembly under agenda item 97 (c).

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

92-48589 3546j (E) 131092 161092

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Annex

Response of the Government of Iraq to the interim report on the situation of human rights in Iraq prepared by Max van der Stoel, Special Rapporteur (S/24386, annex)

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INTRODUCTION

1. The competent Iraqi authorities have examined Part I of the interim report on the current situation in the southern marshes submitted to the Security Council by the Special Rapporteur (S/24386, annex). In it, the Special Rapporteur elaborates to some degree on the recommendation he made in his report to the Commission on Human Rights at its forty-eighth session, held at the beginning of 1992, for the sending of human rights monitors to Iraq as part of "an exceptional response to this exceptional situation" (S/24386, para. 3).

2. In the introduction to the interim report, it is stated that "The special alarm that strikes the Special Rapporteur at this time relates to the reliable and disconcerting information that Iraqi military forces have launched a series of attacks against the civilian population in the marsh area which borders the Islamic Republic of Iran" (S/24386, para. 4).

3. In view of the seriousness of the claims made, the Special Rapporteur should certainly have sought prior confirmation of their veracity from the Iraqi authorities so as to be fully aware of the true state of affairs. Accordingly, rather than allowing such claims to be accepted as indisputable facts, justice and logic require that the Government of Iraq should be given the opportunity to present its viewpoint on the statements directed against it.

4. The sufferings of the Iraqi people, whether in the north, centre, south, east or west of the country, have no relation to the claim that the Government of Iraq is pursuing a policy of repression against its people but came about as a result of the interference of the countries that engaged in aggression against Iraq. This difficult and tragic situation has continued to obtain since the imposition of the economic embargo following the events of August 1990, with the abnormal circumstances to which it has given rise for Iraq such as the rise in prices and the difficult living and health conditions whose impact is having adverse repercussions on the lives of citizens. Rather than speaking of an alleged internal blockade, the Special Rapporteur should have felt duty-bound to address in his report the matter of the unjust economic embargo to which the Iraqi people has been subjected from 2 August 1990 up to the present time.

5. The Government of Iraq has cooperated fully with the Special Rapporteur, and it responded to all of the questions and inquiries he made in September 1991. He was received by high-level officials of the Government of Iraq during his visit in January 1992, and he was provided with all the facilities required for the proper accomplishment of his task. Despite these facts, we find that, instead of regarding such cooperation as reflecting a positive attitude on the part of the Government of Iraq, the Special Rapporteur proceeded to depart from his assignment and to rely for a major part of his information on material given currency by parties hostile to Iraq, whether countries or individuals, without troubling himself to scrutinize the veracity of that information. What is more, to the astonishment of the Government of Iraq, the Special Rapporteur prepared this report, which he calls "Part I of the interim report", and submitted it directly to the Security Council instead of submitting it, as is the proper procedure, to the General Assembly at its regular session. The report was, moreover, sent in haste before assuming its final form on the basis of the alleged gravity of the situation in southern Iraq and the impact of events there on international peace and security in the region.

6. Regrettably, the Special Rapporteur has completely abandoned impartiality and objectivity and the humanitarian considerations imposed by the nature of the task entrusted to him and proposes to adopt unusual measures in the conduct of his work on the pretext of addressing the situation in Iraq. He proceeded to leak his report to the press and information media and participated personally in the campaign being waged against Iraq by the United States of America and its

allies by holding seminars and television interviews at a time when the logic of the situation advocated that he should have been cooperating with the Government of Iraq in fulfilling his assignment.

7. The Government of Iraq calls upon the Special Rapporteur to be bound by objectivity and impartiality and to give careful scrutiny to the reports, allegations and information reaching him. It hopes that the Special Rapporteur will re-examine the allegations and claims cited in his report, that he will amend them in deference to the character of his assignment and the mandate entrusted to him and that he will adhere to the terms of his mandate and not make of it a tool for the attainment of preordained political goals.

I. THE SITUATION IN THE SOUTHERN MARSHES

8. It is stated in the report that there is a comprehensive campaign characterized by measures of extreme force against the Marsh Arabs and particularly in the marsh areas which border Iran. The measures taken by the Iraqi authorities to pursue deserters from military service and the criminals who often take refuge in the marsh areas to evade legal investigation of the crimes they have committed pertain to the responsibility of the Iraqi State to maintain security and stability in the country. In another respect, all of those who follow events are aware that Iran has been interfering in Iraq's internal affairs and is continuing to do so, especially in the border regions that include the marsh area, and that it is Iran that is supplying these outlaws with weapons and explosives with a view to causing problems for Iraq and undermining its internal situation. This is an objective that is being officially declared by the Iranian authorities and by Iranian officials, and the Iraqi authorities have irrefutable evidence to that effect. We enclose herewith a letter from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General concerning Iran's interference in the internal affairs of Iraq (appendix 1). According to an Agence France-Presse dispatch from Teheran on 2 August 1992, the Iranian newspapers reported that the Supreme Council for National Security, meeting under the chairmanship of Iranian President Rafsanjani, criticized what it called the "negligence" of the United Nations in coping with developments in the situation in southern Iraq and in protecting the lives of the inhabitants.

9. The elements involved in sabotage frequently engage in acts of robbery and murder and the destruction of the homes and property of the Marsh Arabs, particularly in those areas where the de facto presence of the competent government authorities is made difficult by the harsh natural features of the terrain. It has accordingly been the duty of the State from time to time to pursue such criminal elements in order to maintain security and ensure the safety of citizens. In 1991, the Government of Iraq officially proclaimed a general amnesty for deserters and those who had participated in disturbances with the exception of those guilty of premeditated murder or rape. The amnesty extended to all Iraqis, whether in northern, southern or central Iraq.

10. The Special Rapporteur has considered the policies affecting the Marsh Arabs as "partly related to their religious beliefs" (S/24386, para. 10). In this connection, we must stress that the Government of Iraq does not pursue any policy of a sectarian character against its people. Iraq has been known for many centuries as a country of religious denominations and religious tolerance where all religions and confessional groups have lived together in peace and where their interaction and brotherliness have been an attested source of human enrichment. It appears that the Special Rapporteur is not aware of the true state of affairs with regard to the cultural, confessional and religious situation in Iraq as a whole, inasmuch as all the Islamic schools of thought are based on one doctrine, namely Islam. It was clear to the Iraqi officials who met the Special Rapporteur and held far-reaching discussions with him during his visit to Iraq that this person knows nothing of the ancient or modern history of

Iraq or of its social circumstances and that he has prejudged ideas that are not based on facts or on a scientific understanding of the reality of the country. This confirms that he was selected with a view to advancing political objectives rather than to addressing human rights issues in an objective manner.

11. The Special Rapporteur states that "As a result of the continuing military operations, there have also been reports of disappearances" (S/24386, para. 12). Most regrettably, in common with many of the allegations made against Iraq, this statement is greatly lacking in specificity. It cannot be answered without reference to specific and detailed cases together with names and dates of disappearance that can be investigated by the competent authorities, as was the customary procedure in respect of cases submitted by the Special Rapporteur in the past.

12. The Special Rapporteur claims that "At the same time as the local population has been suffering stepped-up military attacks, the Government of Iraq has apparently also been proceeding with the forced relocation of Marsh Arabs and inhabitants of the neighbouring villages" (S/24386, para. 13). This allegation is groundless. Despite the improvement in the living conditions of the Marsh Arabs in recent years as a result of government solicitude, life in the marshes remains hard, and this has prompted the Government of Iraq to propose to them voluntary relocation to nearby population centres where health, educational and other services are available. As to his claim that it "was apparently recently admitted" by the National Assembly Speaker that the population inhabiting the marshes is being forcibly relocated (S/24386, appendix, second para.), this allegation is untrue inasmuch as no such statement has ever been made by any Iraqi official.

13. It is stated in the report that "the Government of Iraq has held the marsh area subject to an internal economic blockade for some time" (S/24386, para. 14). There is no truth to this allegation, and foodstuffs and medical supplies are being distributed by agents of the Ministry of Trade who deliver to residents their allotments of foodstuffs in accordance with the monthly ration cards which, owing to the unjust economic embargo, have been instituted by the State in order to provide for the minimum needs of citizens. Hospitals are being supplied with the few essential medicines available for free distribution to patients. The Government of Iraq has invited the world's humanitarian organizations, parliamentarians and press to visit the area, ascertain the falsity of these allegations and see the situation in the area as it really is.

14. The Special Rapporteur claims that " ... the greatest threat to the inhabitants of the southern marshes is posed by the enormous water diversion programme which is proceeding at a rapid pace. Known as the "Third River Project", the Government programme ... will clearly result in the draining of much of the marsh area of its watercover, surrendering the silty soils to the dry air. ... The programme may also be seen as a method to facilitate government control over the population in the area. In the opinion of the Special Rapporteur, ... the "Third River Project" should be immediately brought to a halt ..." (S/24386, para. 15).

15. It is astonishing that the Special Rapporteur should focus in his report on the Third River project, technically known as the Main Outfall Drain project, and should consider it the greatest threat to the inhabitants of the marsh area because it will divert water, destroy fisheries and cause grave damage to the environment. The truth is that the Third River will be the backbone of a solution to the problems of the area extending from central to southern Iraq where agricultural land is characterized by high salinity and that it has many potential benefits such as the drainage of agricultural land, the lowering of the ground-water level, the restoration of fertility to the soil and the development of fisheries, to say nothing of the fact that the Main Drain can be used for purposes of inland navigation. We enclose herewith a study on the Main Drain project and its historical background and anticipated benefits (appendix 2).

16. The Government of Iraq would also like to call the attention of the Special Rapporteur to the fact that a number of Western specialists have refuted the allegations made with respect to the Third River project. In an article published in The Washington Post in its issue for Friday, 4 September 1992, Professor Thomas Naff states that the Main Drain project is a canal that runs between the Tigris and the Euphrates whose function is to channel polluted drainage water into the sea that would otherwise be returned to the two rivers, the marshes or other canals (enclosure 3).

17. Finally, we should like to point out that there is such interest in completing this vital project at the present time because it is viewed as a means of coping with the adverse impact of the economic embargo by finding additional resources to meet the serious shortfall in foodstuffs and of stimulating the Iraqi economy.

II. A SYSTEM OF HUMAN RIGHTS MONITORING

18. The Special Rapporteur proposes that a body of human rights monitors should be established, similar to the weapons inspection teams, and that they should be deployed and remain in various parts of Iraq, "incorporating a monitoring operation into the service of the Special Rapporteur" (S/24386, para. 17). These monitors would provide the Special Rapporteur with information relating to human rights violations, make unannounced visits to places of detention, observe trials and court proceedings and make representations on behalf of the Special Rapporteur to local authorities in the event of urgent matters. They would enjoy the privileges and immunities of United Nations personnel and would have very wide powers, in a manner blatantly incompatible with the concepts of sovereignty, independence and non-interference in internal affairs. The Special Rapporteur would thus make of the monitors something resembling the political agents of the colonialist States, in total disregard of the authority of the Iraqi State to exercise its powers in full sovereignty and independence.

19. The Government of Iraq peremptorily rejects the idea of sending human rights monitors and any interference in its internal affairs. Clearly, the idea being promoted by the Special Rapporteur would establish a precedent that would become a tool in the hands of hegemonistic international forces with which to threaten third-world peoples and any State desiring to preserve its sovereignty and independence.

III. CONCLUSION

20. In conclusion, reference must be made to the letter from the Special Rapporteur addressed to the Minister for Foreign Affairs of Iraq (S/24386, appendix). It is a repetition of the claims and allegations made in the interim report submitted to the Security Council, of which we have stated our view in our detailed response, and it has the aim of assiduously offering offense to Iraq and promoting its fragmentation on a confessional basis in a manner in keeping with the colonialist policy being pursued by the United States of America and its allies.

21. The truth of this inference is confirmed by the fact that, in cooperation with the United Kingdom and France, the United States Administration has exploited the report of the Special Rapporteur, which was submitted in an improper and contrived manner to the Security Council, in order to justify its iniquitous decision to prohibit Iraqi aircraft from flying south of the 32nd parallel so as to advance its political objectives of partitioning Iraq and gaining control of its oil wealth.

22. The work of the Special Rapporteur and his ideas for addressing the situation of human rights in Iraq fall within a preconceived plan for the contrivance of an international crisis directed against our country in coordination with the parties hostile to it. Such conduct therefore constitutes a breach of the norms governing the work of special rapporteurs, which is presumed to be characterized by impartiality and objectivity.

23. With regard to the question of cooperation with the Special Rapporteur, we should like to state that the Government of Iraq has cooperated with him fully in the past and that it responded to the questions and inquiries submitted by him and provided him with the necessary facilities during his visit to Iraq at the beginning of the year.

Appendix 1

Letter dated 25 August 1992 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General concerning interference by Iran in Iraq's internal affairs

On instructions from my Government, I have the honour to refer you to the allegations and calumnies contained in the letter dated 10 August 1992 from the Chargé d'affaires a.i. of the Permanent Mission of Iran to the United Nations (S/24414).

Relying on what it calls "various independent sources", the Iranian letter conveys fallacious reports and baseless allegations concerning the situation in southern Iraq, which it characterizes as a threat to regional and international peace and security.

By feigning concern for the Iraqi civilian population and linking that with the question of international peace and security, the letter in question succeeds only in revealing aspects of the Iranian role in the American, British and French scheme aimed at committing fresh aggression against Iraq and placing its security, territorial integrity and national unity in the gravest danger in violation of the principles of international law and of the Charter of the United Nations.

Recent events have confirmed, with material and documentary evidence, that there is Iranian involvement in the anti-Iraq scheme and that it is exemplified in the dispatch of infiltrators to carry out acts of sabotage in the Iraqi marshland areas. This involvement and its timing cannot but raise major questions as to the relationship between the acts of interference in Iraq's internal affairs in which Iran has been engaged and the infamous policy of the United States and its allies that has the same objective and their officially declared readiness to use brute force in order to partition Iraq. The Iranian Government has failed to see that schemes for the fragmentation of Iraq on an ethnic and confessional basis also carry with them a grave threat to the independence and sovereignty of all the countries of the region, and of Iran itself in particular, and that the basic goal of such schemes is to deprive the countries of the region, and not only Iraq, of their political and economic strength and to plunge them into a bottomless pit of ethnic and confessional conflict for the purpose of bringing them under control and reviving loathsome colonialist dispensations in new shapes and forms.

Iran would be well advised to refrain from interfering in Iraq's internal affairs and to respond to Iraq's initiative calling for the establishment of relations of good-neighbourliness, as conveyed in the letter of 14 August 1990 from the President of the Republic of Iraq addressed to the President of the Republic of Iran.

So that the international community may be informed of Iranian schemes to interfere in Iraq's internal affairs and jeopardize its sovereignty, territorial integrity and national unity, I set forth hereunder information on incidents involving such unlawful interference that has recently come to light and is supported by material evidence.

1. Iran has prepared a major plan of infiltration into the southern area of Iraq so as to establish there a permanent Iranian presence and to develop that presence into extensive sabotage operations by benefiting from its previous unsuccessful experience of infiltration into Iraq in March 1991. Iran has proceeded to train Iranian saboteurs proficient in Arabic to undertake this task, to recruit mercenaries and, in violation of all international covenants and conventions relating to the treatment of prisoners, to use coercion and

brainwashing to change the allegiance of Iraqi prisoners it is holding and to use them to carry out its plans. The objectives of the Iranian scheme include the following:

(a) To gather political and economic information on Iraq and on the locations of Iraqi army camps, civilian industrial facilities and stores of foodstuffs;

(b) To assassinate a number of Iraqi government officials with a view to creating instability in the country;

(c) To carry out armed attacks on Iraqi military units in border areas and elsewhere;

(d) To establish and develop clandestine bases for saboteurs inside Iraq's eastern marshlands, which extend along the southern Iraq-Iran borders, from where they may infiltrate into the inner marshlands of Iraq, having been provided by Iran with forged identity cards, documents and stamps;

(e) To carry out acts of intimidation, murder, burglary and theft on the public highways and in towns and engage in armed operations against government installations and camps in order to prepare for wide-scale action resembling the extensive Iranian infiltration and sabotage that took place in March 1991 but beginning from inside Iraq and expanding at a subsequent stage by means of sweeping infiltration across the borders;

(f) To provide Iranian infiltrators with counterfeit Iraqi currency printed in Iran to be circulated inside Iraq in order to undermine confidence in the Iraqi currency and sabotage the national economy.

2. The parts of the Iranian scheme that have been implemented are as follows:

(a) Preparation and training of infiltrators in Iranian camps at Ahvaz, Mohammerah, Abadan, Bakhtaran and Sarbil Zahab, large groups of whom have been introduced from Iran into Hawr al-Hawizah and from there into the western marshlands. Iran is conducting the operation from this area because of the ease with which infiltration from it can be carried out;

(b) Establishment of 10 or more Iranian intelligence centres close to the Iraqi borders (from Shalamcheh at Basra to the area south of Khanaqin) and of four Iranian intelligence centres inside Iraq in the northern Iraqi cities of Dohuk, Shaqlawah, Diyanah and Klar, the duties of which have been to organize and supervise infiltration activities;

(c) Conveyance of weapons, military equipment, forged currency and leaflets into Iraq in the marshland area and in the northern areas of Iraq;

(d) Transmission by Iranian broadcasting directed against Iraq of instructions to saboteurs, and continued dissemination in Iranian broadcasts of hostile statements and announcements;

(e) More than 15 assassinations of Iraqi officials by Iranian saboteurs in the governorates of Basra, Maysan and Dhi Qar and in areas along the marshlands, more than 30 thefts of civilian vehicles, particularly on the expressways between the centre and south of the country, and a number of incidents in which houses belonging to citizens in areas close to the marshlands have been broken into.

3. The Iraqi authorities concerned have been able to thwart some aspects of the scheme, as follows:

(a) In April 1992, an Iranian espionage network was uncovered at Basra which had been run by Iranian officers at Ahvaz.

(b) Espionage networks have been uncovered that operate under the name "Hizbullah", which is similar to the Iranian party in Lebanon. As is well known, this party operates under Iranian central control (military intelligence and the intelligence services of the Iranian Guard). Elements that belonged to these networks have acknowledged that their task was to assassinate personnel working for international agencies and organizations in order to place a strain on relations between such organizations and Iraq.

(c) At the beginning of July 1992, an espionage and sabotage network was apprehended that had been working on behalf of Iranian intelligence under the direction and supervision of the official in charge of the Iranian intelligence centre at Ahvaz, Ahmed Farzandeh. A quantity of weapons and explosives of Iranian manufacture, forged Iraqi documents printed in Iran and quantities of counterfeit Iraqi currency in 50-dinar denominations that they had in their possession were seized. The members of the network acknowledged that Iranian intelligence had recruited many mercenaries with the intention of carrying out acts of sabotage inside Iraq and that Iranian intelligence had established a number of bases for its members and agents in remote areas inside the marshes. The task of these bases is to harass military units, attack camps, engage in highway robbery and rob citizens. The bases have been supplied with Racal radio communications equipment to transmit the information obtained by personnel from inside the marshlands to Iran (the intelligence centre at Ahvaz) by means of a Racal device in Iran linked with the aforesaid equipment in the marshes. The questioning of four of the persons from this network revealed the following:

They acknowledged that they had entered the country illegally by infiltrating from Iran, having been trained by Iranian intelligence in various types of weapons and ways of planting explosives, in order to engage in sabotage.

They confessed that they had taken part in the events of the episode of treachery and betrayal that took place in March 1991 and that they had fled to Iran after fighting with Iraqi military units in the city of Amarah.

They confessed that they had been instructed by Iran to gather information on Iraqi military units, to endeavour to recruit supporters through material inducements and to operate under the name of the so-called "Hizbullah" linked directly with the intelligence service of the Iranian Guard, one of the formations of the Iranian Ministry of Intelligence. Iran also assigned them the tasks of establishing sabotage bases, setting up fixed and mobile headquarters for sabotage in the marshes and instructing their personnel to prepare to engage in new acts of civil disturbance in the same manner as during the incidents of March 1991.

Iran assigned them the task of securing infiltration routes that would allow them to link up with their personnel in the marshlands and thence to return to Iran to obtain all forms of material and moral support and various types of weapons after establishing refuges for themselves inside Iraq.

They confessed that they had brought explosives and quantities of counterfeit Iraqi currency into Iraq, using forged identity papers, forms and stamps that had been arranged for them by Iranian intelligence, and that they had brought them in through Hawr al-Musharrah in the Maysan Governorate.

They further confessed that they had carried out the following acts

of sabotage:

The bombing of the Banafsaj nightclub and another nightclub in the Amarah city centre on 2 January 1992 with explosive charges;

The placing of an explosive charge behind the Maysan Governorate building on 25 March 1991.

They acknowledged that the explosives they had brought into Iraq from Iran for the purpose of carrying out acts of sabotage and spreading panic and intimidation among citizens were of Iranian manufacture. Forensic examination of the charges that had exploded or were rendered harmless further demonstrated that they were of Iranian manufacture. They also confessed that Iranian intelligence had advised them to remove the paper and cardboard wrappings from weapons, explosives and other sabotage equipment, since such wrappings showed their origin as being of Iranian manufacture, so as not to leave any evidence that Iran was colluding with this sabotage function.

(d) Some 168 Iraqi prisoners registered with the International Committee of the Red Cross have been apprehended. The Iranian regime had kept them under psychologically harsh conditions and had brainwashed them in order to induce them to work against their country. Most of them gave themselves up to Iraqi forward military units on the borders between Iraq and Iran.

(e) On the night of 23/24 July 1992, a force of some 150 armed men from the Iranian side advanced and attacked Iraqi units in the Khanaqin area, 6 kilometres inside Iraqi territory. This violation of the cease-fire was reported to the team of United Nations observers.

(f) In the marshlands area and in the Khanaqin area, Iraqi units have seized Iranian-manufactured equipment, leaflets and forged identity papers that were in the possession of Iranian infiltrators. The evidence was shown to the press and to correspondents of the international news agencies in Iraq on Thursday, 6 August 1992. I am transmitting to you herewith samples of this evidence. With a subsequent letter, I shall provide you with the originals of the documents, identity papers and stamps that were seized along with the infiltrators, with a videotape of the confessions of certain members of sabotage networks sent by Iran and with a second videotape of an interview with some Iraqi prisoners registered with ICRC who were forced by the Iranian regime to work against their country.

The above evidence and much else besides reveals the involvement of the Iranian Government in the anti-Iraqi scheme being promoted by the United States of America as well as the violation on its part of the principles of good-neighbourliness and its intervention in the internal affairs of Iraq. It further reveals the falsity of the allegations and calumnies contained in the said Iranian letter and a desperate and ignominious attempt to hide behind empty slogans and allegations that are refuted by the facts, documents and material evidence by which the hostile acts of the Iranian regime against the Republic of Iraq and the Iraqi people are to be condemned.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Abd al-Amir AL-ANBARI
Ambassador
Permanent Representative

Appendix 2

The Main Outfall Drain (MOD) project: historical background and anticipated benefits

I. Introduction

For many centuries, agriculture based on irrigation has been practised in the Tigris and Euphrates river basin since there is insufficient rainfall for cultivation. Because of continuous cultivation, large quantities of salts have accumulated on agricultural land and have transformed it into land that is for the most part unfit for cultivation, particularly in the central and southern regions of Iraq.

In order to restore the fertility of the soil and transform the area into productive agricultural land, a radical solution had to be devised to the drainage problem. The Main Outfall Drain (Third River) project is the backbone to the solution of the problem.

The idea of the project is to collect high-salinity drainage water from agricultural enterprises in central and southern Iraq into one main drain and to channel it into the Arabian Gulf without intermixture with any of Iraq's rivers or marshlands.

II. Historical background to the project

The various phases of the Main Outfall Drain project have seen a series of studies, designs and building operations, as follows:

1. Studies

(a) Study by the American consultants Tippet Appett Macarthy (TAMS) (1952)

The issue of drainage in Iraq was first addressed in the framework of overall planning in the time of the monarchy by the American consultancy firm TAMS in 1952. In its report to the Development Council, it proposed that a number of main drains should be used, the most important of them being the Main Drain (Third River) extending from Balad north of Baghdad to Nasiriyah, to collect most of the drainage water from the agricultural areas between the Tigris and Euphrates into one main drain thence to be channelled into the Arabian Gulf (the sea).

(b) Study by the British consultants Sir M. Macdonald & Partners (1972)

In 1972, the British consultancy firm Sir M. Macdonald & Partners, in a study of the development of irrigation projects in the central Tigris basin, stressed the need for a part of the Main Drain (Third River) 154 kilometres long to be built between Hawr al-Dalmaj and Nasiriyah as a requirement for improved irrigation on the enterprises in question. The company prepared designs and contract documents for this part of the Main Drain (Contract No.DG/2A).

(c) Studies by the Soviet consultants Soyuzgidrovodkhoz (1972-1981)

The Soviet experts brought in by the Ministry of Irrigation between 1972 and 1981 carried out a number of studies and produced detailed designs relating to Iraq's overall drainage plan. A number of options were elaborated for linking the Main Drain at Nasiriyah with the Arabian Gulf. The option was selected that would prevent the intermixture of saline water from the Main Drain with the water of Hawr al-Hammar, inasmuch as the Main Drain would run inside a strictly separate dyke built parallel to the southern edges of the marshland and from

there to the Arabian Gulf through the Shatt al-Basrah canal.

2. Execution of the main drain

Work on the Main Drain (Third River) has gone through a number of phases. They are as follows:

(a) Two major conduits were built as part of the expansion of the great Musayyib irrigation project in 1954, and they form the basis for the Main Drain in light of the planning carried out by the American company TAMS.

(b) The 60-kilometre-long western Shatrah conduit was built by the Dutch company Zanen Verstoep NV in 1959 to collect drainage water from the Ghiraf region project and channel it into Hawr al-Hammar.

(c) The 156-kilometre-long central section of the Main Drain was built between Hawr al-Dalmaj and the western Shatrah conduit by the Ministry of Irrigation and the Soviets between 1973 and 1977 on the basis of the designs prepared by the British consultants Sir M. Macdonald & Partners.

(d) Earthworks were completed for the southern section of the Main Drain between Nasiriyah and the Arabian Gulf by the German company Phillip Holzman between 1982 and 1986 on the basis of the designs prepared by the Soviet consultants previously mentioned.

(e) Work on the installations and the main pumping station was done by the Brazilian company Mendes Junior Co., which began work on 22 August 1984 and suspended operations without completing the work entrusted to it following the Kuwait events.

III. Work currently being carried out for the completion of the Main Drain

On the basis of the foregoing, the work currently under way on the Main Drain (Third River) project involves completion of remaining tasks that were halted owing to the war of aggression and the departure of the foreign companies. It is to be understood that most sections of the project were completed, and these sections are now being linked together with a view to completing the project. (See the attached map of the project.)

IV. Benefits of the Main Drain (Third River) project

The Main Drain (Third River) project is one of the most significant multipurpose strategic agricultural projects in Iraq, and it has the following objectives:

1. Drainage of agricultural land and a lowering of the groundwater level, restoration of fertility to the soil, and enhancement of productivity over an estimated area of 6 million Iraqi dunums or 1,500,000 hectares.

2. Maintenance of the high quality of the water in the Tigris and Euphrates rivers and the marshlands and ensuring its fitness for various municipal, industrial and agricultural uses, since the channelling of drainage water into rivers and water-meadows leads to contamination and salinity.

3. Improvement and development of fisheries in the southern marshland area, which have deteriorated owing to the high level of salinity in the marshlands as a result of drainage water being channelled into them.

4. Stabilization of sand dunes in the areas through which the Main Drain (Third River) runs and a halt to the encroachment of desertification on agricultural enterprises in central and southern Iraq.

5. Use of the Main Drain for purposes of inland navigation.

6. The water in the Main Drain will in the near future be less saline, making it fit for use in irrigation. It is this that has brought about the use of the name "the Third River" for the Main Drain.

V. Conclusions

As planned and executed over many years, the objective of the Main Drain project is to achieve developmental, environmental, economic and social goals.

From the environmental point of view, the project will achieve an improvement in the quality of surface water in the rivers and water-meadows (marshlands) by preventing its contamination by high-salinity drainage water.

The achievement of this result is in itself liable to ensure the improvement and expansion of fisheries in the marshlands and to render the water there fit for agriculture and for domestic uses.

The inland navigation made possible by the Main Drain will create many employment opportunities for the inhabitants.

The benefits of the project extend, in fact, to all areas of central and southern Iraq.

Appendix 3

Letter dated 10 September 1992 from the Minister for Foreign Affairs of Iraq addressed to the President of the Security Council transmitting a copy of an article by Professor Thomas Naff published by The Washington Post in its issue of 4 September 1992

I have the honour to refer you to our letter dated 6 August 1992 in which we exposed the allegations, lies and fallacies contained in the letter addressed to you on 20 July 1992 by Mr. Max van der Stoel, Special Rapporteur on the situation of human rights in Iraq. Among the series of lies to which we addressed ourselves were Mr. van der Stoel's claims that the Third River project represents the greatest danger to the inhabitants of the marshlands area because it is draining the marshlands, destroying fishing resources and causing grave damage to the environment. In our letter, we demonstrated with unimpeachable evidence and by cogent argument the absurdity of this allegation, how the project had no connection or linkage with the marshlands and how it bore no relationship to the water level there. We presented an overview of the project since planning for its construction was begun by American companies in 1953 and a start was made on the various stages of its construction as of 1954. The importance of the project lies in the fact that it achieves a whole series of economic, social and environmental benefits for the governorates of central and southern Iraq, including, among others, the drainage of agricultural land, the lowering of the level of saline groundwater, the restoration of fertility to the soil and its improved productivity and a halt to desertification.

Our letter evoked positive reactions, as we have noted, from many countries, organizations and individuals expressing the view that the information it contained was conclusive proof of the unreliable character of the information contained in Mr. van der Stoel's report. Moreover, many specialists have undertaken to refute the allegations made by Mr. van der Stoel, which lack any scientific basis.

Among the voices of fairness raised, there has been an article by Professor Thomas Naff that was published by The Washington Post in its issue for Friday, 4 September 1992, a copy of which we are transmitting for your information. In his article, Professor Naff refutes the allegations that the Third River is intended to drain the marshlands and stresses that it is a canal that has been constructed between the Tigris and Euphrates for the purpose of channelling polluted drainage water into the sea instead of allowing it to seep into the two rivers and the marshlands and cause ecological damage to them.

Professor Naff stresses in his article that this drainage canal is beneficent for the marshlands because it prevents saline drainage water from entering them, makes their waters much sweeter and protects their ecology.

In placing these facts before you, we hope that the international community will take note of the level to which the United States Administration and its instrumentalities, under whatever cover, have descended in exploiting the exalted principles of the Charter of the United Nations in the service of their evil political purposes, to the extent that they have had no hesitation in characterizing a project intended to reclaim land, halt desertification and promote the welfare of mankind as one aimed at destroying the environment and violating human rights.

You perhaps recall that Mr. van der Stoel's biased report was the basic pretext used by the Americans and their allies to justify their decision to prohibit Iraqi flights over southern Iraq, an unlawful decision and one that represents a use of armed force and preparation for dangerous military aggression against Iraq's independence, territorial integrity and national unity.

I should be grateful if you would have this letter and its attachment circulated as a document of the Security Council.

(Signed) Mohammed Said AL-SAHAF
Minister for Foreign Affairs

Attachment

[The Washington Post, 4 September 1992]

THE THIRD RIVER PROJECT: IRAQ'S MAIN DRAIN

I would like to offer a correction to an otherwise good piece of reporting by Caryle Murphy and Nora Boustany on Iraqi actions against the Shiites in southern Iraq ["Iraq Reported Taking New Steps Against Shiite Insurgents in South", news story, July 2], and perhaps provide some little-known information about an important aspect of Iraq's hydrological infrastructure.

Caryle Murphy and Nora Boustany are mistaken in reporting that the "Third River Project" is intended to reclaim cultivable land by draining the marshes in southeast Iraq. The Third River Project is actually the Main Drain Canal, a wide, shallow canal that runs between the Tigris and Euphrates rivers and whose function is to carry off polluted irrigation water that would otherwise be returned to the two rivers and dumped into the marshes, doing considerable ecological damage over time.

The canal was planned in 1956 to begin near Sammarra, some 70 miles north of Baghdad, and enter the gulf at the Fao Peninsula near Basra. The main stem of the canal was nearly completed in 1990. It commences about 50 miles south of Baghdad near the ancient city of Babylon (Hillah) and debouches into the gulf at Fao. It is 600 feet wide, 14 feet deep, with an average water depth of seven to eight feet. It moves by gravity, requiring pumps for occasional elevations. Only a few lateral canals for discharging used irrigation water from the two rivers into the Main Drain were completed before the gulf war, and work on them has not been recommenced.

Contrary to some claims, the Main Drain Canal was not intended to be used as a strategic weapon against the Shiite marsh Arabs. The Iraqis showed their ability to control the waters of the marshes by repeatedly draining and flooding them for military purposes during the war with Iran. The canal is not needed for that purpose. Nor does the canal have an adverse effect on the ecology of the marshes. By design, when the canal reaches the marshes, it is separated from them by various hydraulic structures such as tunnels and syphons. Therefore, its ecological impact, rather than being harmful is beneficent because draining irrigation pollutants from the two rivers into the canal above the marshes makes the waters that feed them much sweeter.

There is a small irony attached to this story: In 1990 the governing authorities of Kuwait and Iraq engaged in serious discussions about the quite feasible possibility of transferring water from the Main Drain Canal to Kuwait City for potable domestic use because it would have been cheaper to desalinate the canal water than gulf water.

THOMAS NAFF

Philadelphia

The writer is a professor at the University of Pennsylvania and director of a research project on water issues in the Middle East.